18W 2851

DEC 2 3 2005 B

PATENT 81842.0005

## E UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit:

In re application of:

Tzueng-Yau Lin

Serial No:

09/851,471

Filed: May 7, 2001

For: DVD AUDIO ENCODER AND DECODER

I, the person signing below, state:

## TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sirs:

Confirmation No.: 3597

Examiner: Not Assigned

I hereby certify that this correspondence is being deposited with

2651

correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents

P.O. Box 1450

Alexandria, VA~22313-1450, on

December 20, 2005

Date of Deposit

William H. Wright, Reg. No. 36,312

12/20/05 mature Date

- 1. The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
- The information disclosure statement transmitted herewith is being filed after the period specified in §1.97(b), but before the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

## **§1.97(e) STATEMENT**

that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification

		§1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).
		· OR FEE
		Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00). [OR:] Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00) to Deposit Account No. 50-1314. A copy of this petition is enclosed.
3.		The information disclosure statement transmitted herewith is being filed <i>after</i> the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).
		§1.97(e) STATEMENT
		I, the person signing below, state:
		that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).
		OR
		that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).
		AND FEE
		Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).
4.	$\boxtimes$	If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314. A copy of this petition is enclosed.
5.	$\boxtimes$	A list of 2 reference(s) is in the enclosed Form PTO-1449.

after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in

## NON-ENGLISH LANGUAGE REFERENCES

Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
The specification incorporates comments on the relevancy of Non-English language references.
Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:
Respectfully submitted,

Date: December 20, 2005

Biltmore Tower 500 South Grand Avenue, Suite 1900 Los Angeles, CA 90071 Telephone: (213) 337-6700

Facsimile:

(213) 337-6701

By: White

HOGAN & HARTSON L.LAP.

William H. Wright Registration No. 36,812 Attorney for Applicant(s)

FORM PTO-	1449	Docket Numbe 81842.	Docket Number (Optional) 81842.0005		Application Number 09/851,471			
OIPINF	ORMATION DISCLOSURE	Applicant	Applicant Tzueng-Yau Lin					
DEC 2 3 2	(I)S wUse several sheets if necess	Filing Date May 7,	Filing Date May 7, 2001		Group Art Unit 2651			
TRADE	MACE	U.S. PATENT	DOCUMENTS					
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	CLASS FILING DATE IF APPROPRIATE		
							_	
				_			<u></u>	
				<del> </del>				
	<u> </u>							
		-						
	F	OREIGN PATE	NT DOCUMEN	TS				
	DÖCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Transl YES	Translation YES NO	
	WO 00/60746	10-12-2000	PCT			123	140	
	WO 01/50217	07-12-2001	PCT					
	OTHER DOCUME	NTS (Including Aut	hor, Title, Date, Per	rtinent Pages	, Etc.)			
			<u></u>	-	<del></del>			
						5-21		
	L							

EXAMINER	DATE CONSIDERED	
		<del></del>

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.